

REMARKS

Applicant has carefully reviewed the Application in light of the Office Action mailed August 26, 2004. At the time of the Office Action, Claims 1-18 were pending in the Application. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

Drawings

The Examiner indicated in the Office Action that he objected to the drawings; however, the Examiner did not provide an explanation for the objection. Applicant has reviewed the drawings and submits that the tendered drawings are in full compliance with 37 U.S.C. §1.81, §1.83, and §1.84. Applicant presumes this erroneous assertion to be a minor oversight by the Examiner.

Information Disclosure Statement (IDS)

Applicant submitted an IDS dated July 2, 2001 that the Examiner has yet to identify as being acknowledged. Applicant asks the Examiner to review the references submitted in the IDS and, further, to formally indicate that the references were considered in the prosecution of the Application. Applicant recommends the Examiner use the submitted PTO-1449 to provide written notification to this effect.

Section 102 Rejection and Terminal Disclaimer

The Examiner rejects Claims 1-18 under 35 U.S.C. §102(e), as being anticipated by U.S. Patent No. 6,091,725 issued to Cheriton, et al. (hereinafter "*Cheriton*"). Applicant submits a Terminal Disclaimer, which is appended to this Response, in order to overcome the §102(e) rejection. Any filing of the Terminal Disclaimer should not be construed as an agreement with or an acquiescence to the propriety thereof. Applicant reserves the right to comment on the appropriateness of the Terminal Disclaimer at a future time, should Applicant deem it appropriate to do so.

Thus, the claims are in condition for immediate allowance; notice to this effect is respectfully requested in the form of a full allowance of the pending claims.

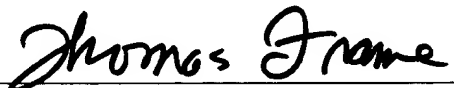
CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of the pending claims.

Applicant submits herewith a check in the amount of \$110.00 to cover the cost of the Terminal Disclaimer filing fee. However, if this is not the case, the Commissioner is hereby authorized to charge any amount required or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicant invites the Examiner to contact its attorney, Thomas J. Frame, at (214) 953-6675.

Respectfully submitted,
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